

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRUST FOR THE CERTIFICATE HOLDERS OF :  
THE MERRILL LYNCH MORTGAGE :  
INVESTORS, INC. MORTGAGE PASS- :  
THROUGH CERTIFICATES SERIES 1999-C1, :  
by and through ORIX Capital Markets, LLC, as :  
Master Servicer and Special Servicer,

X

: Case No. 04 Civ. 9890 (SAS)  
: ECF Case

: Plaintiff,

v.

LOVE FUNDING CORPORATION,

: Defendant.

----- X

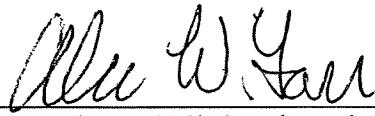


**NOTICE OF CROSS APPEAL**

PLEASE TAKE NOTICE that Defendant Love Funding Corporation hereby cross-appeals to the United States Court of Appeals for the Second Circuit from the judgment entered by this Court on February 27, 2007, insofar as it embodies or has merged into it the Court's October 7, 2005 Order and Opinion granting Plaintiff's Motion for Summary Judgment and denying Defendant's Cross-Motion for Summary Judgment and all rulings and orders embodied within that Order and Opinion, including but not limited to the ruling that Defendant's obligation to perform under Article V of Mortgage Loan Purchase Agreement was not excused fully by its assignor's material breach of contract and other actions.

Respectfully submitted,

**BRYAN CAVE LLP**

By:   
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Dated: New York, New York  
March 29, 2007

Counsel for Defendant  
Love Funding Corporation